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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/102,016	06/22/1998	SAMUEL H. CHRISTIE IV	03384.0236-0	1315

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EXAMINER

BOAKYE, ALEXANDER O

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 07/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/102,016

Applicant(s)

CHRISTIE, SAMUEL H.

Examiner

Alexander Boakye

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 61-120 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 61-120 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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Claim Rejections - 35 U.S.C. § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 61-64,66,70,71,73, 76-79,81,85, 86, 88, 91-94, 96,100-103,107-111, 115, 116, and 118 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hess et al (US Patent # 5, 598,464) in view of Weisser Jr. et al. (US Patent # 5,751, 800).

Regarding claim 61, 70, 73 ,85, 88, 76, 91, 100 , 106, 115, Hess discloses: means for attempting to initiate a communications session from a calling part's communication device (column 5, lines 12-14) to a called party's communication device (column 5, lines 12-14); receiving means (Fig. 1 @ 16a ; column 5, lines 14-15) for receiving at the calling party's communication device a message providing an indication of treatment (column 5, lines 15-18) corresponding to the attempted communication session. What Hess fails to disclose is means for receiving an indication that the attempted communication session was not completed. Weisser discloses means for receiving an indication that the attempted communication session was not completed (column 9, lines 1- 12 ; Figs. 2A and 2B) . Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Weisser's

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switching system with Hess' switching system. The motivation would be to provide a busy signal or indication which would not convey the message using this call type.

As to claims 62, 63, 64, 71, 77, 78, 79 and 86, the combination of Hess and Weisser teaches that the receiving means (Fig. 1 @ 16b of Hess) includes means for receiving a cause value and address of the associated message (column 5 , lines 15-28 of Hess) corresponding to the attempted communications session.

As to claims 66 and 81, the combination of Hess and Weisser teaches that the receiving means includes means for receiving the treatment with the message (column 5, lines 9-18 of Hess).

As to claims 92, 93, 94, 101, 107, 108 , 109 and 116, the combination of Hess and Weisser teaches that the second receiving step includes means for receiving a cause value corresponding to call party identifier and an address of the associated message corresponding to the attempted communication session (column 5, lines 9-18 of Hess).

As to claims 96, 103, 111 and 118, the combination of Hess and Weisser teaches that the second receiving step includes the step of receiving the treatment with the message (column 5, lines 12-24 of Hess).

Claims 65, 67-69, 72, 74, 75, 80, 82-84, 87, 89, 90, 95, 97-99, 102, 104, 105, 110, 113, 114, 117, 119, and 120 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hess et al (US Patent # 5,598,464) in view of Weisser (US Patent # 5,600,710) and further in view of Creswell et al (US Patent # 5,384,831).

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Regarding claims 65, 72, 80, 87, 95, 102, 110 and 117, the combination of Hess and Weisser teaches call treatments (column 3, lines 41-59 of Hess). The combination of Hess and Weisser does not teach that the receiving means includes means for receiving an address for accessing the message in an alternate language. However, Creswell teaches receiving means includes means for receiving an address for accessing the message in an alternate language (column 22, lines 67- column 23, lines 1-20). Therefore, it would have been obvious to one skilled in the art to incorporate Creswell's public switch telephone system into the combination of Hess and Weisser. The motivation would be to provide capability for the system to operate in different languages.

As to claims 67, 82, 97, 112, the combination of Hess, Weisser and Creswell teaches that the receiving means includes means for receiving the treatment (column 10, lines 44- 55 of Creswell) and for caching the treatment for later retrieval.

As to claims 68, 74, 83, 89, 90, 98, 104, 113 and 119, the combination of Hess, Weisser and Creswell teaches the call message SVC (Fig. 7 of Creswell) which reads on the claimed indication of a particular version of the treatment.

As to claims 69, 84, 75, 99, 105, 114 and 120, the combination of Hess, Weisser and Creswell teaches call treatments such as Home Phone No, Not available and Fax (Fig. 7 @ 7; column 10, lines 44-64 of Creswell) corresponding to claimed multimedia version of treatment.

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Response to Arguments

3. Applicant's arguments with respect to claims 61-120 have been considered but are moot in view of the new ground(s) of rejection.

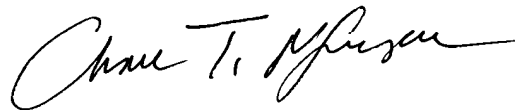
Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (703) 308-9554. The examiner can normally be reached on M-F from 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Chau, can be reached on (703)308-5340. The **fax number** is (703) 872-9314. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-4750.

AB

7/23/02



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